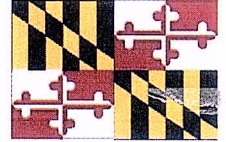




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# Maryland State Lodge FRATERNAL ORDER OF POLICE

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## **HB 985 – Police Discipline – Administrative Charging Committees – Additional Charging Committee**

Dear Chairman Clippinger and Distinguished Members of the Judiciary Committee,

The Maryland State Fraternal Order of Police **OPPOSES House Bill 985 – Police Discipline – Administrative Charging Committees – Additional Charging Committee**. This bill expands a local governing body's authority to authorize the use of a second Administrative Charging Committee if the local governing body determines that one Administrative Charging Committee is insufficient to serve the countywide law enforcement law enforcement agencies within the county.

Presently, under the Maryland Police Accountability Act (MPAA), Public Safety Article §3-104 requires each county to have one Administrative Charging Committee to serve countywide law enforcement agencies and local law enforcement agencies within the county. This bill seeks to allow for the expansion of the number of Administrative Charging Committee's in each county from one to two.

Only internal law enforcement investigations that involve the public are reviewed by the Administrative Charging Committee. If the investigation does not involve the public, the decision to charge or not charge is determined by the law enforcement agency.

If there are multiple administrative Charging Committees within the same county, the decisions and processes applied by each Committee are not likely to be consistent. Two separate committees may review similar cases and reach different conclusions. Consistency is crucial to the disciplinary process because these processes advise law enforcement agencies on public's perception of the applicability of department rules and how those rules govern officers' behavior. Additionally, consistency creates predictability and trust in the process. Inconsistent decisions by dueling committees will create distrust and confusion for officers, agencies, and the public at large.

The decisions made by the Administrative Charging Committee have major effects on a law enforcement officer's career and on the administration of a police department. An officer's career is often put in the hands of an Administrative Charging Committee and every officer deserves a fair and consistent process. Police departments, who rely on the decisions of Administrative Charging Committees for guidance on applying and revising policies, deserve a consistency in decision-making by those committees. Multiple committees will create unstable and inconsistent decisions which will result in more disputed disciplinary actions and administrative trial boards. This will only increase the administrative burden on police departments to conduct these hearings, further delaying the administration of discipline. These delays will leave more officers awaiting disposition and delay the return of many officers to work, serving their community. Thus, the additional of a second Administrative Charging Committee will slow disciplinary processes, defeating the MPAA's goal of timely resolution of disciplinary matters.

For these reasons, the Maryland Fraternal Order of Police **OPPOSES** House Bill 985.

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